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RICHMOND, VA., THURSDAY, JANUARY 12, 1905.

PRICE TWO CENTS.

COURT SUSTAINS MAYOR M'CARTHY

Theatre Managers Must **Not Block Their Aisles** and Stairways.

ONE HOUSE FINED: ONE PLEADS GUILTY

The Mayor Writes a Sweeping Letter to Chief Hulce and Declares That He Will See That the Law Is Rigidly Enforced.

Mayor McCarthy won out "hands down" in the Rustings Court yesterday in the appeal cases of the city of Richmond va. the Leath Theatrical Company, involving the right of the company to sell lickets to persons after all the seats have been taken, and to allow them to stand in the and passageways during perform-

Judgo Witt allowed every instruction usked by the City Attorney, and told the jurers they need hot leave their seats, as the court could write the verdict. His Honor thus practically told the jury that the judgment of the Jower court should be sustained, which was a fine of 410 to such case.

in each case,

Mr. Allen G. Collins, representing the company, entered a plea of guilty in the case of the Blou, and thus the "sponge was thrown up" by the company, which means that the case is ended and the law will be of cryect.

The Instructions.

The Instructions.

The instructions in the case, asked by City Attorney Pollard and granted by the court, were as follows:

"The court instructs the jury that according to the true intent and meaning of the ordinance approved March 18, 1991, requiring that all asses and passagemans at every public building to kept free from persons standing therein during a performance, the space between the rear row of Seats and the stairways which lead from the gallery to the vestibule below, cannot be lawfully obstructed with persons standing therein during a performance. It, therefore, the jury believe from the evidence that the defendant lompany allowed persons to stand in the space between the rear rox, of seats and the stairways which lead from the gullery to the vestibule below, during a performance by it, in its said building, located in the east side of Fighth Street, between Crice and Frankfin Streets, in the city of Richmond, as charged in the summons, they, the jury should find the defendant guilty and assess a fine against it of 10."

Will Enforce It Rigidly.

Will Enforce It Rigidly.

Following the decision of the case,
Mayor McCarthy sent the following
sweeping letter of instructions to Chief
of Police Hulce on the subject:

Fanuary II, 1995.

Captain E. P. Hulce, Chief of Police,
City Hall, Richmond, Va.:

Dear Sir,—In the case of the City of
Ilichmond vs. The Leath Theutrical Complany a verdict was rendered this day in
the Hustings Court, susmithing the Judgment of the Police Court, imposing a fing
for violation of the ordinance concerning of the Police Court, imposing a fine lolation of the ordinance concerning betraction of passageways and alseste Academy of Music. Immediately the rendering of this verdet the rical company confessed judgment the position heretofore then by Mayor and the Police Department, all passageways, asless and starand other open spaces not occur by seats (as approved by the Firemissioners upon their examination the consequent granting of a permit the houses), must remain unoccurand unobstructed by persons standherein, or any other cause. Consequent is anlawful, prohibited, and must quently, the sale of tickets for standing room is unlawful, prohibited, and must be prevented by the police. Please renew your instructions to the district captains, and impress upon them the importance of the exact and persistent enforcement of the ordinances and the instructions heretofore given in this matter.

Very respectfully, (Signed) CARLTON M'CARTHY,

SEATS AT PLAYHOUSES MAY BE EXTENDED

wealth's attorney, and was re-deced to the office continuously up to the year firm in their decision, as upheld by Judgo Witt, that no one shall be allowed to stand in the theatres during a performance, then it is very probable that the management of the Bijou and the Academy will extend the rows of seats so as to allow only also space in the rear, which would be about four feet. The space back of the railing has always been intended as a sort of promenade, and many theatre-goers consider it a hardship to be accested by a police officer as soon as they are fairly inside the doors and informed that they must not stand, but must be seated. To use the ten or affected to space buck of the railing as a promenade is much safer than having rows of seats within four or live feet of space buck of the railing as a promenade and the promenade done away with. This was ordern at the performances of the grand opera has veck, when two dollars could have been gotten for every seat on the first floor. It is very selton that more than twenty or thirty people will consent to stand during a performance, and the "standing room only" sigh usually serves to send people home.

The space back of the railing used as it is as a promenade, is a convenience to the parrons of a playhouse, and as a rule is a dead loss to the management. It can easily he sent that the same space, filed with seats, would be more profitable.

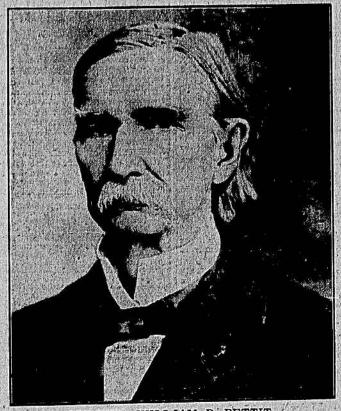
HE KILLS HIS WIFE,

BUT FAILS IN SUICIDE Duke, whose marriage to Duke was followed by his incarceration in the sani-HE KILLS HIS WIFE,

(By Associated Press.)

MACON. GA., Jinnary 11.—A special to the Telegraph from Nowman Ga., says that F. M. Alums shot and almost instantly killed his wife there to-day. He attempted suicide soon afterwards, but was provented from ending his own life. There is considerable excitoment over the occurrence. Jealousy on the part of Almus toward his wife, and the fact that she would not live with him are supposed to have been the causes of the tragedy.

COL. WM. B. PETTIT E. E. WOOLDRIDGE ANSWERS ROLL=CALL NOW A FREE MAN



COLONEL WILLIAM B. PETTIT.

Distinguished Lawyer and Legislator Dies After a Long Illness.

PROMINENT IN HIS SECTION

Was a Power in Politics and Prominent Candidate for Court of Appeals.

(Special to The Times-Dispatch.) COLUMBIA, VA., January 11.—Colonel William B. Pettit, of Fluvanna, died at 8 o'clock, after a long illness. Colonel Pettit had been ill for many months, and though his death is the source of deep regret to his friends, yet it was not altogether unexpected, as his advanced age and enterbled condition rendered the situation uncertain throughout. He was one of the most distinguished lawyers of the State, and was for one term president of the State Bar Association. In 1893

Ireland. The Pettits, of Fluvanna, were plain, unpretending people, honest, intensely patriotic, devoted to Virginia, and ever ready to render her service.

Mr. Pettit was educated in the componishment of Fluvanna and at Salem Academy, and after teaching school for some time began reading law, and was admitted to the bar. Ho was in active practice continuously to the time of his with the exception of the years war, when he served his count.

Had Many Honors. Had Many Honors.

He enlisted almost on the receipt of news that Virginia had secoded from the Union. He was a private in the Fluvanria Artillery, became first sergeant and finally rose to the rank of first lieutent and In 1864 "the old folks at homo" elected him to the office of Commonwealth's attorney, and was re-elected to the office continuously up to the year 1872. In 1868 he was made the county chairman of the Democratic Committee,

ney believed to represent Mrs. Alice Webb-

tarium. The writ is returnable next Friday.

STEWART TRIAL

The Evidence All in and the Instructions Being Prepared.

THE PRISONER'S DAUGHTER

She Declared All Believed That Annie Bolling Stole the Missing Money.

SUSSEX C. H., VA., via STONEY CREDK, VA., January 11.—The largest to-day, and the little court room was

disappearance.
Witness stated that she was in the garden, and that Annie, asked her where Miss Annie, her mother-in-law, was, Witness told Annie that her mother-in-law went to Mrs. Chappell's. Mr. Buford then conducted the examination of the witness,

LONG LINE AT BANK

(Continued on Fifth Page.)

CAUSES UNIQUE RUN

Eager Depositors Mistaken for

Alarmed Ones and Others Sit

Up All Night to Get Money.

(By Associated Press,)

NEW YORK, January 11,-Three po-

leemen and two women were injured in a run on the State Bank in Grand

Street, in the heart of the business so

The run was attended by some sense

tional incidents. The 5,000 persons crowd-

tional incidents. The 5,000 persons crowded about the bank became so insistent
that they broke down an iron railing
around a light well in front of the building, and it was only by desperate clubbing on the part of the police that the
excled and unruly mob was prevented
from forcing many of its number into
the well. The policemen and women
were hurt at that point. The emergency
police detail of the Delancy Street Blation were finally called out, and policemen, were stationed at intervals of five
or six feet for two blocks either side of
the bank.
The cause of the run was as extraordinary ag the frenzied character of the
run itself. Yesterday there was a rush
of depositors to get their money into the
pank in time to begin to draw interest

tion of the Eastside to-day.

Acquitted of the Charge of Burning John S. Forbes's House.

GREAT INTEREST TO THE CLOSE OF TRIAL

Eight More Indictments Against the Accused, But He Is Admitted to Bail-Splendid Speeches by Strode, Flood and Hu-

(Special to The Times-Bispatch.) FARMVILLE, VA. January 11.-"No ed with burning the Mildings of the our and a half after the case went to

thich must have filled him



ourt ordered the prisoner to stund up,

Eight Other Indictments.

both white and black, who listened with breathless interest to everything that transpired.

It was the current report during the first of the week that the argument would begin with to-day. Charles H. Slowart, son of the accused, was asked by Mr. Buford, the distance from the spring to the house, witness replied that it was about one hundred yards. Bennie Perkins testified as to his being at church on Sunday June 21st, and of his telling the accused that Mr. Crowshaw had found the body, and of Mr. Stewart's leaving the church and soing in the direction of his (Stewart's) house.

R. P. Stowart, was again placed on the stand and questioned by Mr. Mann, as to the actions of his father, the prisoner on the day the body was found. Winess stated that his father went home before going where the body was, because, he the accused, thought his wife would be frightened.

Prisoner's Daughter.

Mabel Stewart, the fifteen-year-old daughter of the prisoner took the stand, questioned by Mr. Mann, witness sad the last time she saw Annile Bolling, was about 3 o'clock on the afternoon of jer disappearance.

Witness stated that Annile, asked her where Miss Annie, her mother-in-law, was, Witness tod Annie that her mother-in-law.

Four Hours' Eloquence. By consent of court and counsel, the speeches on each side were limited to

(Continued on Seventh Page.) at once, and the long line of waiting depositors convinced the excitable depositors that something was wrong with the institution. Five hundred persons waited in front of the building all last night and their number quickly swelled to 5,000 when the bank opened to day, though not all of that number were depositors. The bank, which has deposits of \$10,500,000, and a cash reserve of \$1,000,000, and which, Cashier A. I. Voorhis said, carned 24t per cent, profits last year, sent down street for money early to-day and \$250,000 was brought by the wagon load, largely in specie. At the sight of money those waiting became only more impatient to get at it. The bank officials paid depositors off as fast as the operation could be conducted. In all the bank paid out to-day \$55,000 and received in deposits \$40,000.

17 WANT HELP TO-DAY.

The 17 advertisements for help published in to-day's Times-Dispatch on page 8 are as follows:

3 Professional. 4 Office.

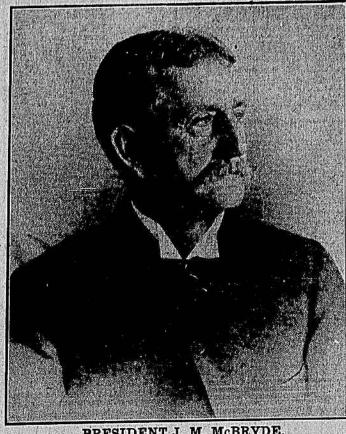
2 Miscellaneous, 4 Salesmen.

This not only interests those out of work, but those desiring to improve their positions as well.

2 Domestics.

2 Trades.

PRESIDENT M'BRYDE WILL NOT RESIGN YET



RRESIDENT J. M. McBRYDE.

CAPTAIN ROGERS IINDER PROTEST

Him for Collector of Internal Revenue Here.

UNBUSINESS - LIKE ACTION

Said to Have Been Brought to the President's Attention. Allan Aspires.

WASHINGTON, D. C., January 11.—It is understood that there may be a change after all in the collectorship of the Second Internal Revenue District of change after all in the collectorship of the Second Internal Revonus District of Virginia. It was thought until recently that Captain Asa Rogers, who has held the position for nearly four years, would continue to do so, but some strong pro-tests have been filed with the President against the retention of Collector Rogers. Some alleged unbusiness-like transac-tion of Captain Rogers by which the First National Bank of Richmond lost upwards of \$3,000 a few years ago through the de-National Bank of Richmon for the de-falcation of Fitzgerald, then an employe in the stationery department of the Southern Rullway in Manchester, has been brought to the attention of the Pres-ident. The information concerning the ident. The information concerning the transaction was furnished by the bank officials. It was sent to the Trensury Department some time ago, but failed to reach the White House. The information came to the President to-day, it is said. It is not known whose name the President is considering in connection with the collectorship, should be decide upon the removal of Captain Rogeys. There are several applicants, including Edgar Allan, Jr., of Richmond.

Allan, Jr., of Riemmond.

An official of the First National Bank corroborated the story that the bank has sustained some loss of money as a result of the transaction referred to. The transaction grow out of the purchase of vovenue stamps by Fitzgorald.

Captain Asa Rogers was at his home in Petersburg, but was communicated with last night, and foregoing telegram was read to him. Captain Rogers stated that the matter referred to had all been threshed out long ago, and that there was nothing now in it. As to the statement that the information came to the President to-day, Captain Rogers know nothing.

"Profoundly Disappointed," However, Says Head of V. P.J.

NOT ADMIT TINSLEY

Previous Record Not Satisfacfory to Faculty-Fifty Juniors Ask Reinstatement.

Regarding the rumor that he would shortly resign from the presidency of the V. P. I., Dr. J.M. McBryde said last

night:

"I am profoundly disappointed, but I have no intention of resigning at this time. The Sweet Briar offer is still open to me and perhaps this accounts for the rumor. I have been unable of late on account of arduous duties and on account of the large number of students, to see as much of the boys as I used to do. If I could have seen them, I do not think the trouble would have occurred."

of the juniors.

"About fifty letters have been received from juniors, asking to be reinstated."

These requests have been granted."

"Are the juniors required to make any pology or pledge," was asked Dr. Mc-

"Are the juniors required to make his appology or pledge," was asked Dr. Mc-Bryde.
"They are not so required. We have accepted those who say in their letters that they were in error in drawing up a puper demanding that the faculty should reinstate Coulier at a given time; and that they recognize the puramount authority of the faculty.

"That is all-absolutely all. We have thought it better to let the students use such language as they deem best, rather than send out any set form of apology. In fact, no apology was really required. "I don't think a single letter expressed any regret. They only wanted to make themselves clear us to their position.

"We expected them to say that the whole matter was a mistake and we were perfectly willing for the students."

(Continued on Second Page.)

(Continued on Second Page.)

TUBERCULOSIS MAY BE STAMPED OUT

Recommendations by Public Health Association.

WORK OF PREVENTION VERY IMPORTANT

Interesting Review of What Has Been Accomplished in Ten Years and Results of Best Scientific Thought for Stamping Out the

(Special Cable to The Times-Dispatch;) HAVANA, CUBA, January 11 .- Most HAVANA, CUBA, January 11.—Most interesting and important of all the proceedings of the American Public Health Association, which is in season here this week, was the report of the Committee on Tuberculosis. Dr. Lawrence F. Flick, of Philadelphia, chalrman of the committee, was unable to be present, and the report was read by the scoretary. The report is for the last ten years, and shows in detail the work of prevention that has been done in the crusade against that has been done in the crusade against tuberculosis. It reviews also the best scientific thought for the furtherance of the movement to stamp out the dis-

tion follows:

1. The notification to and the registration by health authorities of all cases of tuberculosis which have arrived at the infectious stage.

2. The thorough disinfection of all houses in which tuberculosis has occurred, and the recording of such action in an open record.

3. The establishment of special hospitals for the treatment of tuberculosis.

4. The organization of sections.

culosis.

4. The organization of societies for the prevention of tuberculosis.

5. Government inspection of dairies slaughter houses and the externination of tuberculosis among dairy cattle.

6. The appropriate legislation The appropriate legislation

against spitting into places where the sputum is likely to infect others, and against the sale or donation of ob-jects which have been in use by con-

jects which have been in use by con-sumptives unless they have been thoroughly disinfected. T. Compulsory disinfection of hotel rooms, sleeping car borths and steamer cabins which have been oc-cupied by consumptives before offici-persons are allowed to decury; them. Institutions Needed.

Institutions Needed.

The report continues:

"It is now clear that for the treatment of tuberculosis, there must be five kinds of institutions: First, dispensatives for ambulatory cases; second, samitoria for inciplent cases; third, samitoria for somewhat advanced cases; fourth, convalescent farms for the employment of persons who have been restored to physical-health, but have not yet obtained a complete state of cure; fifth, hospitals for advanced dying cases.

"A number of dispensaries have been

matter at all.

"It is to the interest of the human family that tuberculosis of every kind be wiped from the face of the earth, and this cannot be accomplished unless the line of battle be made to extend along the entire front wherever tuberculosis appears. Moreover, it must be conceded that the milk and meat of a sick animal is improver food even though the disis improper food, even though the dis-euse from which the unimal suffers be-not transmissible to the person consuming such food.

The Evil of Spitting.

The Evil of Spitting.

"The legislation against spitting, unfortunately has missed the mark, probably because there has not been a clear cut understanding of the manner in which spitting contributes to the spread of tuberculosis. If there is to be any legislation on this subject at all, it should be such as will prevent consumptives from contaminating houses, clothing, utensils and such things as have to be handled, and as may become media of transmission of the disease to others. "Splitting on the street or upon the

others.

"Splitting on the street or upon the payment is of very little consequence in the spread of tuberculosis, as compared with splitting in the handkerchlor or splitting upon the floor of a house. It is perhaps going too far to attempt to enter a man's castle and control his personal conduct, and for this reason legislation upon the subject of splitting probably will nover accomplish much good.

"Disinfection of hotel rooms, sleeping car berths and steamer cabins is not piprimary importance in the campaign against tuberculosis, but is ethically disirable. We now know that implantation of tuberculosis requires a much larger and more intimate exposure than is ordinarily possible in hotels, cars and steamers. Very susceptible personshowever, might contract the disease in this way, and this is an additional reason, besides the othicat one why individuals and corporations who have to do with such places and conveyances should be required to give absolute protection to their guests and patrons.

"The home and the workshop are really the centers from which tuberculosis is distributed, and they at the same time are strong predisposing causes of the disease by rayson of their unhealthruless." Mad and adulterated food and in-

TAITPILE ROCk, ARK, January II.—
Four persons were killed in a freight wreck on the Cotton Helt Railroad at Piggott, Ark, to-day. The bodies were burned in the caboose.

distributed, and they at the same time are strong predisposing causes of the are strong predisposing causes of the are strong predisposing causes of the are strong predisposing causes by burned in the caboose.

A FRIEND OF BOOTH MR. ELLYSON FOR DIES IN NEW YORK THE SECOND PLACE

Announce Candidacy for the Lieutenant-Governorship. Hon. J. Taylor Ellyson, who, it has

been rumored from time to time since the last gubernatorial contest, would be

State Chairman Being Urged to

the last gubernatorial contest, would be a candidate for the nomination this year, has definitely and positively announced to friends that he would not stand for the governorship. It is stated that he has not really contemplated running for the governorship for a year or more.

Mr. Ellyson's friends, and they are many, are arging him to stand for the nomination for Lieutenant-Governor, but, so far he has not announced a determination to do so. It is said that Mr. Ellyson has the matter under advisement and tight he he may determine to enter the contest.

In the event that Mr. Ellyson becomes a candidate it is conceded that he will have a strong following throughout the State Central Committee, and as such has successfully directed his party's campaigns. Prior to his party service, Mr. Milyson had represented the city of Richmond fon twelve years in the Senato of Virginia, and for the years was Mayor of the city.

Was Present on Night of Assassination of President Lincoln and Arrested for Crime.

(By Associated Press.)

NEW YORK, January 11 .- John Mat thems, sixty-nine years of age, an actor once famous in the companies of such stars as Edwin Booth and Edwin Forrest, and who was on the stage the night President Lincoln was shot by John Wilkes Booth, who was Matthews's roommate and intimate friend, died suddenly in his home, No. 230 West Thirty-eighth Street, to-day.

After President Lincoln's assassination, Matthews was arrested on suspicion as burned and charred papers left by Booth were found in his room. He proved his impoence, however.

procence, however.

FOUR PERSONS KILLED IN RAILROAD WRECK